

E-FILED on 8/19/10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GOOGLE INC., AOL LLC, YAHOO! INC.,
IAC SEARCH & MEDIA, INC., and LYCOS
INC.,

Plaintiffs,

v.

L. DANIEL EGGER, SOFTWARE RIGHTS
ARCHIVE LLC, and SITE TECHNOLOGIES,
INC.,

Defendants.

No. C-08-03172 RMW

ORDER REGARDING AUGUST 27, 2010
CONFERENCE

[Re Docket No. 152, 157]


Defendant Software Rights Archive, LLC ("SRA") initially moved to continue the claim construction pre-hearing conference scheduled for August 27, 2010 to September 3, 2010. Plaintiffs then requested procedural guidance from the court as to the status of this case and asked that the court schedule a status conference (rather than a claim construction pre-hearing conference) on or after September 24, 2010. In response, SRA withdrew its motion for a continuance, asking the court to conduct a claim construction pre-hearing conference on August 27, 2010.

In its August 22, 2009 order, the court stayed this case pending resolution of an action involving the same patents and many of the same parties in the Eastern District of Texas (Civil Action No. 2:07-CV-00511-CE) or a decision by that court to transfer the action to the Northern

1 District of California. The court has been informed that the Eastern District of Texas court has
2 transferred the case to the Northern District of California. Accordingly, the court hereby lifts the
3 stay in this case.

4 Rather than holding a claim construction pre-hearing conference on August 27, 2010, the
5 court will hold a status conference at 10:30 a.m. on August 27, 2010. Prior to this status conference,
6 the parties are to meet and confer as to setting the following dates, with the anticipation that a
7 tutorial and claim construction hearing will be scheduled around December 15, 2010: (1)
8 exchanging proposed terms and claim elements for construction; (2) exchanging preliminary claim
9 constructions; (3) filing joint claim construction and prehearing statements; (4) exchanging expert
10 declarations or other disclosures on claim construction for any experts who will submit declarations
11 or testify regarding claim construction; (5) claim construction pre-hearing conference; (6) claim
12 construction discovery cut-off; (7) filing of opening, responsive, and reply briefs on claim
13 construction; and (8) filing of motions for summary judgment that are dependent on claim
14 construction as well as opposition and reply papers.

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17 DATED: 8/19/10



RONALD M. WHYTE
United States District Judge